

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

CHRIS COSNER

PLAINTIFF

V.

NO. 1:10CV004-A-D

LEE COUNTY SHERIFF'S DEPARTMENT, et al.

DEFENDANTS

**ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION**

The Plaintiff, an inmate proceeding pro se, filed this complaint pursuant to 42 U.S.C. § 1983. The Plaintiff's complaint included claims failure to protect and denial of medical, for which he is seeking monetary damages. The Defendant Lee County Sheriff's Department filed a motion to dismiss. The Magistrate Judge submitted a report recommending the dismissal of the Defendant as an improper party to this civil action. The Plaintiff has filed objections to the report and recommendation.

The court finds that for reasons stated in the Report and Recommendation dated March 16, 2010, the Plaintiff's objections are not well taken.

THEREFORE, it is hereby **ORDERED** that

(1) the Plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are **OVERRULED**;

(2) the Report and Recommendation (docket entry 20) is **APPROVED** and **ADOPTED** as the opinion of this court; and

(3) the motion to dismiss (docket entry 6) is **GRANTED**; and

(4) the Defendant Lee County Sheriff's Department is **DISMISSED** with prejudice.

SO ORDERED, this the 30th day of April, 2010.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE